

State Water Resources Control Board

January 5, 2018

(Via email and Certified Mail)

CERTIFIED MAIL
NO. 7017 2680 0000 6289 5104

Mr. Tod Ferguson
Hazardous Materials Business Plan Manager
University of California San Diego
9500 Gilman Drive, #0089
La Jolla, California 92093-0089
tferguson@ucsd.edu

**SUBJECT: NOTICE OF VIOLATION; UNDERGROUND STORAGE TANK SYSTEM
LOCATED AT MISSION BAY AQUATIC CENTER, 1001 SANTA CLARA PLACE,
SAN DIEGO**

Dear Mr. Ferguson:

As part of an initiative by the State Water Resources Control Board (State Water Board) to ensure compliance at government-owned and/or operated underground storage tank (UST) facilities in California, the State Water Board staff inspected the UST at your facility on December 14, 2017, pursuant to authority under Health and Safety Code (H&SC), chapter 6.7, section 25289.

The State Water Board has identified the following violations pursuant to H&SC, chapter 6.7, and California Code of Regulations (CCR), title 23, chapter 16:

| No. | Violation | Tank | Start Date | Stop Date | Regulation |
|-----|--|-------|-------------------|-----------|--|
| 1 | Failure to Maintain Monitoring Plan – In CERS under the recordkeeping section, equipment maintenance and calibration records lists “no.” In the pipe monitoring section, under suction piping meets exemption criteria it lists “yes”; however, it should list “no,” since safe suction requires a method that confirms it is safe suction. | 23923 | December 14, 2017 | Ongoing | H&SC 25286(a); 23 CCR 2632(d)(1), 2711(a)(9) |
| 2 | Failure to Maintain Tank Information Form – In CERS under the fill components installed section, the striker plate lists “no,” and under the product piping section, piping system type lists “safe suction”; however, there was no method to confirm this therefore “conventional suction” must be listed. | 23923 | December 14, 2017 | Ongoing | 23 CCR 2711(a) |

Office of Enforcement | 801 K Street, Suite 2300 | Sacramento, CA 95814 | 916.341.5272

FELICIA MARCUS, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

You are directed to correct the ongoing violations and submit compliance documentation to the State Water Board and the County of San Diego Department of Environmental Health within sixty (60) days from the date of this letter. Have your Designated Operator make specific notations in the next monthly designated operator report indicating the ongoing violations have been corrected. The monthly designated operator report and any associated photos must be submitted as proof of compliance.

Please send all compliance documentation to the following:

State Water Board

Mr. Douglas McDevitt
UST Enforcement Unit
Office of Enforcement
State Water Resources Control Board
801 K Street, Suite 2300
Sacramento, California 95814
douglas.mcdevitt@waterboards.ca.gov

Local CUPA

Mr. Robert Rapista
Supervising Environmental Health Specialist
Underground Storage Tank Program
County of San Diego Department of
Environmental Health
P.O. Box 129261
San Diego, California 92112-9261
robert.rapista@sdcounty.ca.gov

Pursuant to Health and Safety Code, chapter 6.7, section 25299, the owner and operator of the tank(s) are liable for a penalty of \$500 to \$5,000 per tank, per day of violation. These penalties will continue to accrue until the violations have been corrected.

If you have any questions, please contact me at (916) 341-5551, or by email at amantha.henkel@waterboards.ca.gov.

Sincerely,

Handwritten signature of Kim Jellards in blue ink, with the word "for" written in smaller script to the right.

Amantha Henkel
Senior Environmental Scientist
UST Enforcement Unit
Office of Enforcement

cc: See next page.

cc: *(via email only)*

Ms. Maryam Dorsey, Chief
Hazardous Material Division
County of San Diego Department of
Environmental Health
maryam.dorsey@sdcounty.ca.gov

Mr. Robert Rapista
Supervising Environmental Health Specialist
Underground Storage Tank Program
County of San Diego Department of
Environmental Health
robert.rapista@sdcounty.ca.gov

Ms. Jennifer Woods
E&HS Specialist
University of California San Diego
jwoods@ucsd.edu

Mr. Kevin Straw
Director, Recreation
San Diego State University
kstraw@mail.sdsu.edu